

### **REMARKS**

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. The Specification, claims 2-7 and 9-10 are hereby amended. Claims 3 and 9 have been rewritten in independent form. Claims 1 and 8 are cancelled without prejudice or disclaimer. Claims 2, 4, and 6 are amended to correct dependencies. Formal drawings are enclosed per the Examiner's suggestion.

The Abstract is amended to comply with the suggestions made by the Examiner. Support for the amendment stating the method and device used "in wireless mobile communication" is found in the Field of Invention on page 1. Support for the amendment stating the "total number of signal samples" is found on page 1, lines 26-27. Support for the amendment stating that the signal is divided into "an equal number" of segments is found on page 2, line 20.

The Specification is amended in accordance with the Examiner's concerns.

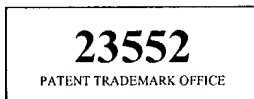
Claims 1, 2, 4-8, and 10 are amended in accordance with the Examiner's suggestions. Claims 6 and 8 amendments describing the "method of largest mode" is supported on page 10, lines 8-13.

Claim 7 was rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses this rejection. Claim 7 is amended to remove confusing language. Favorable reconsideration is requested.

Claim 9 and 10 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant traverses this rejection. Claim 9 is amended to provide clarification. Support for the amendment, specifying "the adjustment series of four bits" is found on page 9, line 21. Favorable reconsideration is requested.

Claims 1, 2, and 8 are rejected as being anticipated by Lomp (US 5,673,286). Applicant traverses this rejection. Claim 1 is cancelled. Applicant does not concede the correctness of this rejection as applied to claim 1. Claim 2 includes a feature found in claim 3, which was not subjected to this rejection. Claim 8 is cancelled. The subject matter of claim 8 is now found in claim 9. Claim 9 maintains original features not found in claim 8, and that were not subjected to this rejection. This rejection is rendered moot. Applicant is not conceding the correctness of these rejections. Favorable reconsideration of claim 2 is requested.

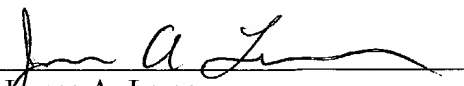
In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, Michael D. Schumann, Reg. No. 30,422, at (612)336-4638.



Respectfully submitted,

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Dated: December 14, 2004

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